

Panaji, 6th August, 1981 (Srawana 15, 1903)

SERIES II No. 19

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 5/17/80-PER

The services of Shri Ashok P. Panvelkar, Grade II Officer of Goa, Daman and Diu Civil Service at present officiating as Under Secretary (Finance), Secretariat, Panaji, are placed at the disposal of the Industries and Labour Department, Secretariat, with immediate effect, for appointment by temporary transfer on deputation, as the Senior Manager, Goa Handicraft, Rural and Small Scale Industries Development Corporation Ltd.

2. The appointment of Shri Panvelkar, as Senior Manager of the aforesaid Corporation, will be governed by the terms and conditions of deputation in Government of India, Ministry of Finance (Department of Expenditure) Memo No. F.10(24)-E-III/60 dated 4-5-1961 as amended from time to time.

3. The period of deputation of Shri Panvelkar shall be initially for a period of one year, from the date of his joining the post.

4. Consequent upon the temporary transfer on deputation of Shri A. P. Panvelkar, the Administrator of Goa, Daman and Diu is pleased to order transfers and postings of following Grade II Officers of Goa, Daman and Diu Civil Service. These transfers shall come into effect after Shri Panvelkar is relieved from the office of Under Secretary (Finance), (the intimation of which shall be sent to the Officers concerned and to this Division by the Finance Department).

| Sr. No. | Name of the Officer and his present designation | Transferred and posted as |
|---------|---|---|
| 1. | Shri S. V. Elekar, Under Secretary (Finance-I) Finance Department, Secretariat, Panaji. | Under Secretary (Finance), Secretariat, Panaji, vice Shri A. P. Panvelkar, temporary transferred on deputation. |
| 2. | Shri K. B. Verekar, Exhibition Officer, Dte. of Industries and Mines. | Under Secretary (Finance-I), Secretariat, Panaji, vice Shri S. V. Elekar, transferred. |

5. Shri P. W. Rane Sardesai, Asstt. Director, Directorate of Industries and Mines, shall hold current charge of the post of Exhibition Officer in addition to his own duties until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 29th July, 1981.

Order

No. 3/17/74-PER (G. J. II)

The post of Project Officer, Grade I post in the pay scale of Rs. 1700-1900 from Schedule I of Goa, Daman and Diu Civil Service is hereby transferred from the establishment of the Directorate of Industries and Mines to the establishment of the Secretariat, Government of Goa, Daman and Diu and re-designated as Joint Secretary (Planning and Development) until further orders.

2. Shri Pukh Raj Bumb, Grade I Officer of Goa, Daman and Diu Civil Service, now on deputation as Director of Providoria is transferred and posted as Joint Secretary (Planning and Development), Secretariat, with immediate effect by curtailing his deputation period. Shri Bumb shall be paid from the Budget provision for the post of Project Officer in the Directorate of Industries and Mines for the current financial year.

3. Shri Chaman Lal, Director of Social Welfare, Panaji, shall hold the additional charge of the post of Director of Providoria in addition to his own duties until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 28th July, 1981.

Notification

No. 3-21-81-PER

Consequent upon the placement of his services at the disposal of Government of Goa, Daman and Diu, by Government of India, Ministry of Home Affairs, New Delhi vide wireless message No. U-14020/1/81-UTS dated 25-5-81, the Administrator of Goa, Daman and Diu is pleased to appoint Shri K. B. Shukla, IAS, as Secretary (Industries & Labour) with effect from 1-8-1981 (F.N.).

2. Shri G. K. Bhattacharya, IAS, present Secretary (Industries & Labour), under orders of transfer to Delhi Administration, shall stand relieved from this Administration on the same date. Shri Bhattacharya shall report to the Chief Secretary, Delhi Administration, Delhi for his further posting, after availing himself of normal joining time.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 1st August, 1981.

Home Department (General)

Order

No. 13/1/80-HD(G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (No. 65 of 1980), the Administrator of Goa, Daman and Diu being satisfied

having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, Goa that it is necessary so to do hereby directs that the said District Magistrate may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limits of his jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Administrator of Goa,
Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 1st August, 1981.

Order

No. 13/1/80-HD(G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (No. 65 of 1980), the Administrator of Goa, Daman and Diu being satisfied having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, Daman that it is necessary so to do hereby directs that the said District Magistrate may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limits of his jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Administrator of Goa,
Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 1st August, 1981.

Order

No. 13/1/80-HD(G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (No. 65 of 1980), the Administrator of Goa, Daman and Diu being satisfied

Revenue Department

Notification

No. 22/149/80-RD

Whereas by Government Notification No. 22/149/80-RD dated 13-1-81 published on page 551/653 of Series II, No. 43 of the Official Gazette, dated 22-1-81 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. For construction of Digas Murnem road.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after consider-

having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, Diu that it is necessary so to do hereby directs that the said District Magistrate may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limits of his jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Administrator of Goa,
Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 1st August, 1981.

Local Administration and Welfare Department

Addendum

No. 10-8/LAWD/79-PDEC

Read: Government notification No. 10-8/LAWD/79-PDEC dated 27-8-1980.

The address of the Chairman of the Advisory Board constituted under the Notification No. 10-8/LAWD/79-PDEC dated 27-8-1980 shall be as under:—

"Advisory Board constituted under the provisions of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980 for the Union Territory of Goa, Daman and Diu Chamber No. 45, 2nd Floor, High Court, Bombay, 400 032.

Telephone No. 272950 — (Office)

241413 — (Residence)."

By order and in the name of the Administrator of Goa,
Daman and Diu.

Alexandre Pereira, Under Secretary (Revenue).

Panaji, 24th July, 1981.

ing the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, PWD, Cell, Altinho-Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Land Acquisition Officer, PWD, Cell, Altinho-Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Plot No. | Survey No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---------|--------|--------------|----------|-----------------|--|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | Ponda | Ponchavadi | 1 | 211/ 4/Part | Comunidade of Ponchavadi. | 1,642.00 |
| 2. | — do — | — do — | 2 | 210/ 1(Part) | Shri Purshottam Rama Naik, Diga Ponchavadi. | 150.00 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|-----|--------|------------|----|------------------|---|----------|
| 3. | Ponda | Ponchavadi | 3 | 212/ 4(Part) | Shri Rama Kantak. | 1,164.00 |
| 4. | — do — | — do — | 4 | 213/ 4(Part) | Shri Purshottam Bhangi. | 67.00 |
| 5. | — do — | — do — | 5 | 213/ 5(Part) | Shri Mahader Raghuvir Cudchodkar, Curchorem. Shri Shankar Raghuvir Cudchodkar, Curchorem. | 2,590 |
| 6. | — do — | — do — | 6 | 213/ 10(Part) | Shri Shankar Raghuvir Cudchodkar, Curchorem. Shri Mahadev Raghuvir Cudchodkar, Curchorem. | 37.00 |
| 7. | — do — | — do — | 7 | 213/ 11(Part) | Shri Mahadev Raghuvir Cudchodkar, Curchorem. | 1154.00 |
| 8. | — do — | — do — | 8 | 214/ 1(Part) | Shri Krishna Ganapat Panchwadkar. Shri Govind Y. Panchwadkar. Shri Govind Apa Panchwadkar. Shri Monu Janu Panchwadkar. Shri Bombi J. Panchwadkar. Shri Rama Pisolo Panchwadkar. Shri Bhimrati Ganasham Panchwadkar. Shri Krishna Binu Panchwadkar. Shri Cazole Gonsu Panchwadkar. Shri Damodar Rama Panchwadkar. Temple Shri Dev Pursha Maya Digas Ponchavadi Goa. | 160.00 |
| 9. | — do — | — do — | 9 | 215/ 1(Part) | Shri Gopinath D. S. Gude. Shri Shivaji D. S. Gude Curchorem. Shri Sharad R. S. Gude, Curchorem. Shri Tulsidas S. Bhangi, Curchorem. | 467.00 |
| 10. | — do — | — do — | 10 | 215/ 2(Part) | Shri Tukaram J. N. Bhangi. Shri Ratnakar A. S. Bhangi Majorda Salcete. Shri Franklin C. Figredo Loutulim Salcete. | 404.00 |
| 11. | — do — | — do — | 11 | 215/ 3(Part) | Shri Tulsidas Subraya S. Bhangui Bhangui Curchorem. | 43.00 |
| 12. | — do — | — do — | 12 | 215/ 4(Part) | Shri Ratnakar A. S. Bhangui Majorda. | 111.00 |
| 13. | — do — | — do — | 13 | 215/ 5(Part) | Shri Franklin Clatancio Figueredo, Loutulim. | 55.00 |
| 14. | — do — | — do — | 14 | 217/ 13(Part) | Shri Raghuvir S. Gude, Near Govt. Hospital Margao. | 85.00 |
| 15. | — do — | — do — | 15 | 217/ 14(Part) | Shri Gopinath Dattaram S. Gude, 1st Parijat, St. Inez, Panaji. | 3.00 |
| 16. | — do — | — do — | 16 | 217/ 15(Part) | Shri Shivaji Dattaram Gude, Jaikiram 2nd Floor, Mamlatdarwadi, Bombay. | 35.00 |
| 17. | — do — | — do — | 17 | 216/ 7(Part) | Shri Tukaram S. Bhangi Digas Ponchavadi. | 30.00 |
| 18. | — do — | — do — | 18 | 218 1(Part) | Shri Shantilal Kushaldas & Bros. Pvt. Ltd. Margao | 709.00 |
| 19. | — do — | — do — | 19 | 218 3(Part) | Shri Dev Pain Devasthan Digas Ponchavadi. | 10.00 |

Boundaries:

North: Road S. No. 211/1, S. No. 213/5, 11
& 10, S. No. 216/7, 1, S. No. 217/13, 14, 15
& S. No. 215/2.

South: Survey No. 211/4, S. No. 213/5, 11, S.
No. 214/1, S. No. 215/3, 4, 5, S. No. 218/3.

East: Survey No. 211/4, S. No. 210/1, S. No.
213/5, S. No. 218/1 & 3.

West: Survey No. 211/4, S. No. 212/4, S. No.
213/4, 9, 5, S. No. 218/1.

Total 8,916.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 25th July, 1981.

Notification

No. 22/94/80-RD

Whereas by Government Notification No. 22/94/80-RD dated 10-11-80 published on page 469 of Series II, No. 35 of the Official Gazette, dated 27-11-80 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in

the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. For widening and improvement of Potquem-Acoi Road at Mapusa part II.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the

said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Dy. Collector,

(Land Acquisition Officer), Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Dy. Collector, Land Acquisition Officer, Panaji till the award is made under Section 11.

SCHEDULE
(Description of the said land)

| Sr. No. | Taluka | Village/Ward | P. T. S. No. | Chalta No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---|--------|--------------|--------------|------------|--|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | Bardez | Mapusa | 103 | 7(Part) | 1. Shri Santana D'Souza. 2. Shri Joaquim D'Souza. | 31.00 |
| 2. | — do — | — do — | 103 | 6(Part) | Comunidade of Mapusa. | 7.00 |
| 3. | — do — | — do — | 103 | 3(Part) | Shri Rozina D'Melo. | 82.00 |
| 4. | — do — | — do — | 103 | 4(Part) | Shri Rozina D'Melo. | 50.00 |
| 5. | — do — | — do — | 106 | 7(Part) | Shri Rozina D'Melo. | 53.00 |
| Boundaries: | | | | | | |
| North: Road. | | | | | | |
| South: Chalta No. 7 | | | | | | |
| P. T. Sheet No. 106, Chalta No. 7, 6 | | | | | | |
| P. T. Sheet No. 103. | | | | | | |
| East: Road. | | | | | | |
| West: Road. | | | | | | |
| Total | | | | | | 223.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. Regunathan, Secretary (Revenue).

Panaji, 25th July, 1981.

Public Health Department

Order

No. 5/28/81/PHD

On the recommendation of the Local Selection Committee, Dr. Ricardo L. Teles is hereby appointed on ad-hoc basis to the post of physician senior and posted at Hospicio Hospital, Margao, under the Directorate of Health Services, Panaji with immediate effect, on the terms and conditions contained in Government Memorandum No. 5/181/80-PHD dated 5-3-1981.

The above appointment is however subject to the verification of character and antecedent.

The above appointment will not bestow on the person a claim for regular appointment and the service rendered on ad-hoc basis in the grade would not count for the purpose of seniority in that grade and for eligibility for promotion to the next higher grade.

The above doctor has been medically examined and found fit by the Medical Board, Panaji.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. S. Sail, Under Secretary (Health).

Panaji, 27th July, 1981.

Industries and Labour Department

Order

No. 28/2/79-ILD/2526

The following Awards given by the Industrial Tribunal, Goa, Daman and Diu are hereby published as required under the

provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sudhule, Under Secretary (Industries and Labour).

Panaji, 30th June, 1981.

IN THE INDUSTRIAL TRIBUNAL, GOA, DAMAN AND DIU, AT PANAJI

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No. IT/32/76

S/Shri Salvador Barretto and Minguel Cunha represented by The Goa Hotel & Restaurant Employees Union, Betim, Bardez-Goa.

— Party-I

V/s.

M/s. Hotel Mandovi, Panaji-Goa.

— Party-II

Party-I represented by Shri N. J. Rebello, Union Leader.

Party-II represented by Shri Ramesh Dessai, Labour Advisor.

Panaji: 8-6-81

AWARD

The Government of Goa, Daman and Diu, by its Order No. CLE/1/ID(109)/73/74/1828, dated 25-11-1976, has referred an industrial dispute between the workmen S/Shri Salvador Barretto and Minguel Cunha, hereinafter referred to as Party-I, and the management of M/s. Hotel Mandovi, the employers, hereinafter referred to as Party-II for adjudication by this Tribunal. The Order of Reference, in the schedule, reads as follows:

"Whether the action of the Management of M/s. Hotel Mandovi, Panaji-Goa in terminating the services of Sar-

vashri Salvador Barretto and Minguel Cunha with effect from 23-4-1973 and 30-3-1973 respectively is legal and justified?

If not, to what relief the concerned workmen are entitled?"

2. Since Shri Minguel Cunha, by his application dated 19-5-77 dropped his claim against Party-II, the only claim which is left for adjudication by this Tribunal is of the workman Shri Salvador Barretto.

The case of Shri Barretto, as per his statement of claim is that he was working for Party-II for several years as Helper. He fell sick when he was in the Hotel and went to Goa Medical College where he was admitted as in-door patient from 23-3-73 and from there removed to Ribandar Hospital for operation. This fact was well known to Party-II. The workman was discharged from the Hospital on or about 14-4-73 and, on or about 18-4-73, he went to Party-II to resume his duties and produced his medical certificate. He was informed at that time that he would be intimidated as to when he should join his duties. But, to his surprise, he received a letter, dated 13-4-73, informing him that his name had been struck off from the Muster Roll from that date as per their earlier letter dated 6-4-73. The workman never received this last letter and had phoned from the Hospital to the Hotel informing that he was in the Hospital. The phone message was given to the Telephone Operator, Miss Angelina, requesting her to convey it to the Manager. The latter knew that the workman was in the Hospital, because when one of the workman's relatives inquired with him the whereabouts of the workman, he told him that he was in the Ribandar Hospital.

3. The case of the Employers/Party-II is that the workman remained absent without permission from 12-3-73 onwards. On 6-4-73 he addressed a registered letter to the workman asking him to resume his duties within 48 hours from the receipt of the letter. The letter was returned to Party-II with the remarks "Addressee's living address is not known. Returned to sender." Then Party-II sent another registered letter dated 23-4-73 stating therein that it had waited for another ten days and since the workman had not resumed his duties, his name was struck off from the Muster Roll. This letter was received by the workman on 26-4-73. As he did not resume his duties, the Management came to the conclusion that he had abandoned his services and, as such, struck off the name of the workman from the Muster Roll. The workman did not approach Party-II to collect his legal dues, nor did he make any representation in respect of the said letter dated 23-4-73. Only after about three months, Party-II received a letter from the Union of Party-I saying that Shri Barretto's services were illegally terminated by the employer, which amounted to unfair labour practice and victimisation. Party-II replied to the letter explaining the position.

4. Evidence was led by both the parties. The workman, Shri Barretto, led his own evidence, besides the evidence of Xavier Fernandes, his brother-in-law, and Angelina Fernandes, Telephone Operator, to prove that he had informed Party-II that he was in the Hospital and that Party-II was aware of this fact. Party-II led the evidence of Shri Yeshwant Kamat, Manager of the Hotel.

5. The only point arising for our consideration is as to whether the Employer/Party-II was aware that the workman was sick in the Hospital, as contended by the latter, and nevertheless terminated his services for abandonment.

6. I should say that the workman did not succeed in proving his contention. From the Muster Roll of the Hotel (Exh.M-2) it is shown that, in the month of March, 1973, Shri Barretto was absent from 8th to 12th and from 22nd onwards till the date his services were terminated (vide entries marked E-2 & E-4 in the Muster Roll Exh. M-2). Shri Barretto has produced medical certificate Exh.W-2, issued by the Ribandar Hospital on 14-3-73 wherein it is mentioned that he was admitted for Fistulo in Ano on 23-3-73 and discharged on 14-4-73. No doubt, therefore, in view of what is mentioned in this Certificate, that Shri Barretto was in Hospital from 23-3-73 to 14-4-73.

7. In his statement before this Tribunal, Shri Barretto has stated that on his admission to the Hospital at Ribandar, he informed the employer by telephone about his hospitalisation and that this message was kept with the Telephone Operator to be conveyed to the employer/Party-II. The latter has denied having received any such message and Miss Angelina, who was heard as witness for the workman, has stated that she does not remember at all having received such message from the workman. This witness was not

declared hostile by the workman, but nevertheless was cross examined by him by suggesting that she received the message and told her reliever that Salvador was sick in the Ribandar Hospital and to convey the message to the Manager, who was not there, which suggestion was denied by Miss Angelina, stating that she does not remember anything about this incident. Further, it was suggested to her by the workman that he called on her at Hotel Mandovi after he was discharged from the hospital and then she told him that she had given the message to her reliever with a request to pass it on to the Manager, which suggestion was also denied by her.

In her cross examination by the representative of the Employer, she has stated that 3/4 days prior to her statement, Shri Barretto came to her and asked her to tell the Court that she had received a call from him. To this, she replied that she does not remember having received his call or anything about it.

8. The statement in Court made by Shri Barretto is contradictory on various points and also with his statement of claim, and, this makes it even more doubtful the truthfulness of the statement. Indeed in his examination-in-chief he has stated that after being discharged, he took Exh.W-2 (medical certificate) and went to the Manager, who told him that certificate was not necessary and that he would inform him. In his cross-examination, he has reiterated that, on 14-4-73, on discharge from the Hospital, he went to the Hotel, but, he adds, the Manager Kamat told him that he was removed from service and so he went away. He again came to tell the Manager that he received a letter of termination of service; he asked the Manager not to remove him from service, but the Manager told him that he was already removed. In his re-examination, he has stated that, on 16-4-73, he showed the certificate to the Manager, who did not accept it and told him to give in writing all that had happened. Accordingly, he wrote and gave it to the Manager. It was written in Konkani by one Damiao, who was then a clerk in the Hotel. This Damiao does not seem to be in the service of Party-II any longer. The certificate was obtained by him two days after his discharge.

If the certificate was obtained two days after his discharge, the workman's allegation that, on the very day of his discharge, he went to the Hotel with the certificate cannot be true.

9. In his Statement of Claim, he has stated that, on or about 18-4-73, he went to the Employer to resume his duties and, at that time, he produced the Medical Certificate, but was informed that he would be intimidated as to when he should join his duties. But, to his surprise, he received a letter dated 23-4-73 informing him that his name has been struck off the Muster Roll. This portion of the Statement of Claim is also contradictory with the statement given by the workman before the Tribunal.

10. The statement of Xavier Fernandes, who is the brother-in-law of the workman, also does not appear to be true. Indeed, if both of them were working in the same Hotel, one in the Bar and the other in the Dining Room, adjoining each other, it is difficult to believe that Xavier did not know the whereabouts of Shri Barretto.

Xavier has stated that, as he did not find him in the Hotel, he went to the Medical College and did not find him there also. But why did the witness go to the Medical College? It is because he knew that Shri Barretto had gone there. His story that after about 4 days the witness's wife came to him in the Hotel and told him that Barretto was not to be found in his house, and that he met the Manager and the latter told him that he was in the hospital does not appear to be true.

11. The Manager of the Hotel, Shri Kamat, has denied any knowledge about the sickness of the workman Shri Barretto and I have to accept as true this statement, since it was for the workman to prove that he had intimidated the employer about his absence, which he has failed to do.

12. Admittedly, no inquiry was held by Party-II before terminating the services of Party-I. But absence of such inquiry does not render invalid the order of termination of services passed by the Management, since from the evidence on record we are led to believe that it was passed bonafide and that there was no intention of victimisation, as contended by the workman. The long absence of the workman without intimation has naturally led the Management to presume that he had abandoned the services and hence, the order striking off his name from the Muster Roll.

13. In the premises above, I pass the following order.

ORDER

The termination of services of Shri Salvador Barretto by the Management of Party-II is legal and justified.

Regarding the other workman Shri Minguel Cunha, since he has dropped his claim against the Management as stated above, the reference stands disposed off.

In the circumstances of the case, each party is left to bear its own costs.

(Dr. R. de Noronha)
Presiding Officer,
Industrial Tribunal.

Corrigendum

No. 2/33/81-ILD

In partial modification of the order of even number dated 24th June, 1981, published in Official Gazette, Series II No. 14 dated 4-7-1981, the particulars shown in column 2 of the aforementioned order, may be substituted as follows:—

| Name of the official, designation and Division where working. | Name of the Division, Sub-Division given as additional charge. |
|--|--|
| 1 | 2 |
| 1) Shri P. N. Lotlikar, Executive Engineer, Electrical Division VI (O & M) Mapusa. | Electrical Division No. IX (E. H. V.) Tivim. |
| 2) Shri U. B. Madihalli, Executive Engineer, Electrical Division V (O & M) Ponda. | Electrical Division No. X (Training Centre) Ponda. |
| 3) Shri N. G. Shetty, Assistant Engineer, Sub-Division I (Civil) Ponda. | Sub-Division No. I (Civil) Tivim. |

By order and in the name of the Administrator of Goa, Daman & Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 25th July, 1981.

Finance Department (Expenditure)

Order

No. 2-12-73-Fin(Exp)/Vol. I

Shri S. P. Karmali, Accounts Officer working in the River Navigation Department is appointed on deputation as Accounts Officer in the Goa, Daman and Diu Rural Development Agency. The terms and conditions of his deputation will be the same as contained in Government of India, Ministry of Finance O.M. No. F.10(24)/3/60 dated 4-5-1961 as amended from time to time. He will draw his pay in the scale of Rs. 840-40-1000-EB-40-1200 and, in addition, will be entitled to 10% deputation (duty) allowance besides other usual allowances admissible to him under Government from time to time.

The period of deputation is for one year in the first instance.

The Goa, Daman and Diu Rural Development Agency, Panaji shall be liable to pay to Government the leave salary and pension contribution at prescribed rates.

The order will come into force with immediate effect.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. P. Panvelkar, Under Secretary (Finance).

Panaji, 30th July, 1981.

Finance Department (Revenue and Control)

Notification

No. Fin(R&C)/2-36/40/77

In exercise of the powers conferred by sub-section (1) of Section 10-A of the Goa, Daman and Diu Sales Tax Act, 1964 (4 of 1964) the Government considering it necessary so to do in the public interest, and in supersession of all earlier notifications in this behalf, hereby exempts all classes of sales or articles to the Goa Cancer Society, Panaji, from payment of the whole of any tax payable under the said Act for a period of one year from the date of this notification.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. P. Panvelkar, Under Secretary (Finance).

Panaji, 30th July, 1981.

Law Department (Establishment)

Office of the Chief Electoral Officer

Order

No. 5-6-80/Elec.

The following order No. GOA-LA/23/80(25) dated 14th July, 1981 issued by the Election Commission of India, New Delhi is hereby published for general information.

U. D. Sharma, Chief Electoral Officer.

Panaji, 29th July, 1981.

Election Commission of India

Ashok Road, New Delhi
Dated the 14th July, 1981
23 Asadha, 1903 (SAKA)

Order

No. Goa-LA/23/80(25)

Whereas the Election Commission is satisfied that Shri Laximon Vithal Prabhu Concar, House No. 124, Pajifond, Margao, Goa a contesting candidate for general election to the Legislative Assembly held in January, 1980 from 23-Navelim Constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Laximon Vithal Prabhu Concar to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

By order,

DHARAM VIR

Under Secretary
Election Commission of India

Corrigendum

No. 1-1-80/LD

Read: Government Order No. 1-1-80/LD dated 2-4-1981.

The name of the Judicial Officer appearing at Sr. No. 3 in the Government Order mentioned above should be read as "Shri R. K. Batta" instead of "Shri R. K. Patta".

By order and in the name of the Administrator of Goa, Daman and Diu.

R. V. Durbhatkar, Under Secretary (Law).

Panaji, 29th July, 1981.

GOVT. PRINTING PRESS — GOA

(Imprensa Nacional — Goa)

Price — Rs. 0-60 Ps.